

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:05cr41WJG-RHW-1

MARCUS JEROME PEAIRS

ORDER GRANTING MOTION FOR SENTENCE REDUCTION

THIS MATTER is before the Court on the motion [18] filed by the Federal Public Defenders Office on behalf of Defendant Marcus Jerome Peairs for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) based upon recent amendments to the sentencing guidelines applicable to offenses involving cocaine base, and the subsequent decision by the United States Sentencing Commission to make this amendment retroactive, pursuant to United States Sentencing Guideline section 1B1.10 effective March 3, 2008.

The Court has considered the recalculation of Defendant's sentencing as submitted by the United States Probation Office and the record in this matter, and finds that Defendant's sentence should be reduced to 87 months. Both the Federal Public Defenders Office and the United States Attorneys Office have submitted written concurrence with this calculation. It is, therefore,

ORDERED AND ADJUDGED, that the motion [18] filed by the Federal Public Defenders Office on behalf of Defendant Marcus Jerome Peairs for sentence reduction be, and is hereby, granted. It is further,

ORDERED AND ADJUDGED that Defendant's sentence be, and is hereby, reduced from 108 months to 87 months. It is further,

ORDERED AND ADJUDGED that all other terms and provisions of the original judgment, (Ct. R., Doc. 14), remain in full force and effect.

SO ORDERED AND ADJUDGED this the 26<sup>th</sup> day of September, 2008.

*Walter J. Fox III*  
UNITED STATES SENIOR DISTRICT JUDGE